

SENATE BILL NO. 308

INTRODUCED BY D. HARRINGTON

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4 A BILL FOR AN ACT ENTITLED: "AN ACT EXPANDING MONTANA'S TOTAL UNEMPLOYMENT
5 INSURANCE EXTENDED BENEFIT LAWS TO PROVIDE FOR THE TOTAL BENEFITS ALLOWABLE UNDER
6 FEDERAL LAW; EXTENDING UNEMPLOYMENT INSURANCE BENEFITS FOR UP TO 13 WEEKS IF THE
7 STATE'S TOTAL UNEMPLOYMENT RATE IS 6.5 PERCENT OR GREATER FOR A 13-WEEK PERIOD AND
8 THE CURRENT RATE IS 10 PERCENT HIGHER THAN THE TOTAL UNEMPLOYMENT RATE FOR THE
9 CORRESPONDING PERIOD IN EITHER OF THE PRECEDING 2 YEARS; PROVIDING A FURTHER PERIOD OF
10 UP TO 7 WEEKS OF UNEMPLOYMENT BENEFITS IF THE STATE'S 13-WEEK TOTAL UNEMPLOYMENT
11 RATE IS 8 PERCENT OR MORE AND AT LEAST 10 PERCENT HIGHER THAN THE AVERAGE TOTAL
12 UNEMPLOYMENT RATE FOR THE CORRESPONDING PERIOD IN THE LAST 2 YEARS; AMENDING
13 SECTIONS 39-51-2504, 39-51-2505, AND 39-51-2510, MCA; AND PROVIDING AN IMMEDIATE
14 EFFECTIVE DATE AND AN APPLICABILITY DATE."

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16 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

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18 **NEW SECTION. Section 1. Extra weeks of extended benefits during period of high unemployment.**

19 (1) In addition to the state "on" indicators provided by 39-51-2504, whenever the current week's total
20 unemployment rate is 8% or more and the most recent 13-week total unemployment rate is at least 10%
21 higher than the average total unemployment rate for the corresponding 13-week period in either or both
22 of the preceding 2 years, a claimant is eligible for up to an additional 7 weeks of unemployment insurance
23 benefits. The total extended benefit amount, including those amounts provided by 39-51-2510, payable
24 to any individual with respect to the applicable benefit year must be the lesser of the following amounts:

25 (a) 104% of the total amount of regular benefits that were payable to the individual under this
26 chapter in the individual's applicable benefit year; or

27 (b) 27 times the weekly benefit amount that was payable to the individual under this chapter for
28 a week of total unemployment in the applicable benefit year.

29 (2) Whenever the rate of total unemployment for the current week is less than 8% or whenever
30 the current total unemployment rate for the current 13-week period is less than 10% higher than in the

corresponding 13-week period in either of the preceding 2 calendar years, the extra weeks of extended benefits provided by this section are not available.

Section 2. Section 39-51-2504, MCA, is amended to read:

"39-51-2504. State "on" indicator -- when. There is a state "on" indicator for this state for a week if the department determines, in accordance with the regulations of the U.S. secretary of labor, that any of the following occur:

(1) (a) the rate of insured unemployment equals or exceeds 5% for ~~any such~~ the week and the immediately preceding 12 weeks; and

(b) the insured unemployment rate equals or exceeds 120% of the average of ~~such~~ the rates for the corresponding 13-week period ending in each of the preceding 2 calendar years; ~~or~~

(2) if the rate of insured unemployment for ~~such week is 5% or more but the average of such rates for the corresponding 13-week period ending in each of the preceding 2 calendar years is less than 120%, the insured unemployment rate for such week and the immediately preceding 12 weeks is 6% or more; or~~

(3) (a) if the average rate of total unemployment for the most recent 13-week period is 6.5% or more; and

(b) the current total unemployment rate is at least 10% higher than the total unemployment rate average for the corresponding 13-week period in either or both of the preceding 2 years."

Section 3. Section 39-51-2505, MCA, is amended to read:

"39-51-2505. State "off" indicator -- when. There is a state "off" indicator for this state for a week if the department determines, in accordance with the regulations of the U.S. secretary of labor, that all of the following conditions are met:

(1) for the period consisting of ~~such~~ the week and the immediately preceding 12 weeks the rate of insured unemployment (not seasonally adjusted) under this chapter is less than 5%; ~~or~~

(2) the average of ~~such~~ the insured unemployment rates for the corresponding 13-week period ending in each of the preceding 2 calendar years is less than 120% of the current 13-week insured unemployment rate; and

(3) the average rate of total unemployment for the current 13-week period is less than 6.5%."

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2 **Section 4.** Section 39-51-2510, MCA, is amended to read:

3 **"39-51-2510. Total extended benefit amount.** (1) The total extended benefit amount payable to
4 any eligible individual with respect to ~~his~~ the individual's applicable benefit year ~~shall be~~ is the least of the
5 following amounts:

6 ~~(1)(a)~~ (a) 50% of the total amount of regular benefits ~~which that~~ were payable to ~~him~~ the individual
7 under this chapter in ~~his~~ the individual's applicable benefit year;

8 ~~(2)(b)~~ (b) 13 times ~~his~~ the individual's weekly benefit amount ~~which that~~ was payable to ~~him~~ the
9 individual under this chapter for a week of total unemployment in the applicable benefit year.

10 (2) Effective for weeks beginning in an unemployment period described in 39-51-2504(3), the total
11 extended benefit amount, including the amounts provided for in subsection (1), payable to any individual
12 for the applicable benefit year must be the lesser of:

13 (a) 80% of the total amount of regular benefits that were payable to the individual under this
14 chapter in the individual's applicable benefit year; or

15 (b) 20 times the weekly benefit amount that was payable to the individual under this chapter for
16 a week of total unemployment in the applicable benefit year."

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18 NEW SECTION. **Section 5. Codification instruction.** [Section 1] is intended to be codified as an
19 integral part of Title 39, chapter 51, part 25, and the provisions of Title 39, chapter 51, part 25, apply
20 to [section 1].

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22 NEW SECTION. **Section 6. Effective date -- applicability.** [This act] is effective on passage and
23 approval and applies to a person who is an exhaustee, as defined in 39-51-2501, on or after [the effective
24 date of this act].

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